

**From:** [Glenn, William](#)  
**To:** [Picardi, Rick](#)  
**Cc:** [Devlin, Betsy](#); [Zito, Kelly](#); [Johnson, Ivry](#); [Keener, Bill](#); [Noggle, William](#); [Wills, Jennifer](#); [Alkon, Margaret](#); [Rollins, Christopher](#)  
**Subject:** Re: FOIA request EPA-R9-2014-001383  
**Date:** Thursday, February 13, 2014 9:14:33 PM  
**Attachments:** [your FOIA request \(EPA-R9-2014-001383\).msg](#)  
[your FOIA request \(EPA-R9-2014-002133\).msg](#)

---

Hi Rick,

Just wanted to check in on the Storis FOIA. I sent emails to both requesters last Friday (attached) letting them know we needed a couple more weeks and that responsive documents would be online by Feb. 21. Copies were added to FOIAOnline and the due date updated (I didn't receive a reply from either requester).

Since you guys now have access to all the documents and are completing review, Ivry will reassign the requests in FOIAOnline to HQ tomorrow so that when you're ready you can upload the releasable docs and Betsy's partial denial letter listing the docs you're withholding.

Given that the response to Mr. Ottman will also fulfill the New York Times' request, I'm assuming it will be possible to refer Ms. Ivory to that response rather than uploading all the docs a second time. (Ivry, is that right?)

Good luck with everything... and I hope you're not buried too deep in snow back there!

Bill

---

Bill Glenn  
Chief, Web + Internal Communications  
Office of Public Affairs  
U.S. EPA, Pacific Southwest  
[glenn.william@epa.gov](mailto:glenn.william@epa.gov) / (415) 947-4254

---

**From:** Picardi, Rick  
**Sent:** Friday, February 07, 2014 3:54 PM  
**To:** Glenn, William  
**Cc:** Devlin, Betsy; Zito, Kelly; Johnson, Ivry; Keener, Bill; Noggle, William; Wills, Jennifer; Alkon, Margaret; Rollins, Christopher  
**Subject:** RE: DRAFT -- Re: FOIA request EPA-R9-2014-001383

[REDACTED]

[REDACTED]

Rick Picardi  
Chief, International and Transportation Branch  
Office of Resource Conservation and Recovery (ORCR)  
US EPA Office of Solid Waste and Emergency Response  
703-308-8879  
[picardi.rick@epa.gov](mailto:picardi.rick@epa.gov)

---

**From:** Glenn, William  
**Sent:** Friday, February 07, 2014 4:32 PM  
**To:** Noggle, William; Picardi, Rick; Wills, Jennifer; Alkon, Margaret; Rollins, Christopher  
**Cc:** Devlin, Betsy; Zito, Kelly; Johnson, Ivry; Keener, Bill  
**Subject:** DRAFT -- Re: FOIA request EPA-R9-2014-001383

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
  
[REDACTED]  
[REDACTED]  
  
[REDACTED]

Bill Glenn  
Chief, Environmental Information  
Office of Public Affairs  
U.S. EPA, Pacific Southwest  
[glenn.william@epa.gov](mailto:glenn.william@epa.gov) / (415) 947-4254

---

**From:** Glenn, William  
**Sent:** Friday, January 24, 2014 1:50 PM  
**To:** 'Jon A. Ottman'  
**Cc:** Johnson, Ivry; [storismuseum@verizon.net](mailto:storismuseum@verizon.net); John Nowakowski  
**Subject:** RE: FOIA request EPA-R9-2014-001383

Mr. Ottman,

Thanks for your note. The fees in this case are all based on time spent searching for correspondence and other documents, so there wouldn't be any charges associated with collating materials in the public domain.

If the earlier decision on fees is overturned before we complete the response, you won't receive a bill. If overturned after you make payment, I'm sure a refund would take place – however, we're not familiar with the mechanics of this process. The office to whom you're appealing may have that information.

Best,

Bill Glenn  
Chief, Environmental Information  
Office of Public Affairs  
U.S. EPA, Pacific Southwest  
[glenn.william@epa.gov](mailto:glenn.william@epa.gov) / (415) 947-4254

---

**From:** Jon A. Ottman [REDACTED]  
**Sent:** Friday, January 24, 2014 11:11 AM  
**To:** Glenn, William  
**Cc:** Johnson, Ivry; [storismuseum@verizon.net](mailto:storismuseum@verizon.net); John Nowakowski  
**Subject:** Re: FOIA request EPA-R9-2014-001383

**Importance:** High

Mr Glenn-

Thank you for your update.

Your estimate is received and understood. I would expect that if there are materials included that are already in the public domain, that there would be no charge for collating those materials.

I wanted to let you know that I am in the process of filing an appeal with OGIS related to this matter.

Upon determination of final costs, let me know the total and the accepted means of payment. In the event that there is positive consideration for my appeal through OGIS, I am wondering what the process would be for adjustment of costs/and or a refund.

Sincerely,

Jon Ottman

On 1/24/2014 12:46 PM, Glenn, William wrote:

Dear Mr. Ottman,

I wanted to follow up with you on our cost estimate for your FOIA request, particularly in light of the recent denial of your appeal regarding a fee waiver.

We estimate that the total fees for processing your request will not exceed \$850. Since you have already assured payment for the document search now underway, we only ask that you confirm receipt of this estimate.

Thank you!

Bill Glenn  
Chief, Environmental Information  
Office of Public Affairs  
U.S. EPA, Pacific Southwest  
[glenn.william@epa.gov](mailto:glenn.william@epa.gov) / (415) 947-4254

---

**From:** Jon A. Ottman [REDACTED]  
**Sent:** Thursday, January 16, 2014 8:34 AM  
**To:** Glenn, William

**Cc:** Rollins, Christopher; Alkon, Margaret; Noggle, William  
**Subject:** Re: Discussion re: FOIA request EPA-R9-2014-001383  
**Importance:** High

Mr Glenn-

Thank you for your response. I feel that a phone discussion would have been rather onerous.

If you have the communication between the EPA and MARAD devolving TSCA compliance and enforcement authority over the former USCGC STORIS to the MARAD Suisun Bay National Defense Reserve Fleet, the U.S. Coast Guard, the GSA, or any other federal or state authority, by all means, please include it with the requested materials. This, as well as any guidance, active at the time, which would have allowed EPA Region IX to accept the USCG cover memo from 17 JAN 2007 and the 15 NOV 2000 HAZMAT Survey of CGC STORIS as adequate documentation that there were no enclosed or unenclosed PCB-containing materials above 50 ppm on STORIS.

That would also include any documents that MARAD sent the EPA notifying them of a reflagging for the purposes of scrapping in a foreign country and that the owners of the vessel, Mark Jurisich and John Bryan, DBA U.S. Metals Recovery, had produced adequate documentation acceptable to the EPA that the vessel was PCB free. I am not familiar with the regulation or rule making that would afford the USCG or GSA the same ability to evade the TSCA PCB export ban as MARAD has been afforded on behalf of US-flagged vessels, but if it exists, please include.

I am, of course, interested in any documentation Region IX or HQ has "regarding the existence of PCBs on the ex-USCGC STORIS", however, there is no need to duplicate material I already have, such as the previously referenced USCG 2000 report which clearly demonstrates inadequate sampling or the aforementioned 2007 cover memo which states that the PCBs identified in the 2000 report were removed. The 2007 cover memo is clear in that it was not referring to the enclosed potential PCBs that closed the window for export that are referred to repeatedly in the "Environmental Assessment for the Decommissioning and Excessing of the U.S. Coast Guard Cutters STORIS (WMEC-38) and Acushnet (WMEC-167)" from December 2006, which is a public document. The EA, according to Attachment 1 (page E-5), included EPA Region X as an interested party, although the communication is not reproduced in Appendix B, Agency

Consultation. But one can only assume consultation took place, because the EA raises the issue of PCBs restricting the STORIS export repeatedly, and the only sampling documentation in the EA is Appendix E, which is the USCG 2000 survey and was not done to EPA draft guidance for obsolete vessels.

With those clarifications, please proceed.

Jon Ottman

On 1/14/2014 6:02 PM, Glenn, William wrote:

Dear Mr. Ottman,

We do not record clarifying conversations with FOIA requesters. At this point, we agree with you that a conversation would not be less burdensome.

You made the following information request:

-- Copies of records used by Region IX to determine that the ex-USCGC STORIS was PCB-free, allowing the vessel to be exported from the MARAD Suisun Bay National Defense Reserve Fleet on the evening of October 25, 2013 for scrapping in Ensenada, Mexico.

This information request incorrectly assumes that export of the vessel occurred as a result of a determination by EPA Region IX.

However, we believe that you wish to obtain copies of records possessed by Region IX regarding whether the ex-USCGC STORIS was PCB-free at the time of export.

Thus, we are asking you to clarify the scope and content of the information that you are seeking because we believe that it would be more responsive to clarify the third bullet of your request to read:

“Copies of records possessed by Region IX regarding the existence of PCBs on the ex-USCGC STORIS when it was exported from the MARAD Suisun Bay National Defense Reserve Fleet on the evening of October 25, 2013 for scrapping in Ensenada, Mexico.”

We also wanted to update you on logistics and timeframes. Because you assured payment of any costs associated with your request, we have continued work on the request while you await a decision on your appeal of the fee waiver denial. We are also in the process of compiling a cost estimate for the document search, which we will share with you. At this point, we estimate that the response to your request will be available via FOIAOnline by Feb. 7.

Please respond to this email to acknowledge that the clarification of the third bullet of your request is in line with the information you are seeking. Thank you.

Sincerely,

Bill Glenn  
Chief, Environmental Information  
Office of Public Affairs  
U.S. EPA, Pacific Southwest  
[glenn.william@epa.gov](mailto:glenn.william@epa.gov) / (415) 947-4254

---

**From:** Jon A. Ottman [REDACTED]  
**Sent:** Monday, January 13, 2014 2:41 PM  
**To:** Noggle, William; Glenn, William  
**Cc:** Rollins, Christopher; Alkon, Margaret  
**Subject:** Re: Discussion re: FOIA request EPA-R9-2014-001383  
**Importance:** High

Good afternoon -

In reviewing the original FOIA request, I don't see where the descriptions of the various requested materials are unclear.

I am working to get others from our group involved in a call if you still believe it is necessary to do so. This will necessitate having this discussion after 5 p.m. EST -- probably closer to 6 p.m. -- so that I can make sure that they are available after their day jobs.

If possible, it may be more expedient for you to provide to me a list of questions or requested clarifications in advance to either answer straight out in writing or to at least prepare for a discussion.

If there is to be a conference call, I would like to request in advance that the conference be recorded and a copy provided. I would also like a list of those who will be participating in the call, both in active participation and passive observation roles.

At this point, my Wednesday schedule has been moved to Thursday, so late Wednesday or Friday afternoon may be available for a discussion should you so desire. Otherwise, as I said, I can provide clarification in writing if you choose to submit specific questions or clarifications.

Thank you for your assistance in this matter.

Sincerely,

Jon A Ottman

On 1/12/2014 6:56 PM, Jon A. Ottman wrote:

Mr Noggle and Mr Glenn -

I wanted to acknowledge receiving your messages on Friday. I am currently working through a couple of other projects at the moment. At this point, the first three days of the week are booked. I will coordinate with Region IX in the next couple days to set up a time to discuss the request for clarification on my submitted FOIA regarding the former CGC STORIS.

Thank you.

Jon A Ottman